

WARWICK ZONING BOARD OF REVIEW
MINUTES OF THE FEBRUARY 16, 2016 MEETING

A regular hearing of the Warwick Zoning Board of Review was held on Tuesday, February 16, 2016 at 6:00 P.M. in the Warwick City Council Chambers, Warwick City Hall, 3275 Post Road, Warwick, Rhode Island. The meeting was called to order by Chairman Donald Morash.

The Secretary called the roll and noted the following members present:

Donald Morash, Chairman
Richard Corley, Vice Chairman
Everett O'Donnell
Beverly Sturdahl
Mark McKenney
Julie Finn
Paul Wrostek

Also present: Diana Pearson, Esq., Asst. City Solicitor
Richard Crenca, Warwick Planning Department
Carol Chevalier, Secretary
Mary Ellen Hall, Stenographer

The Chairman declared a quorum.

Julie Finn was the voting member on the following items. Mr. McKenney arrived late to the hearing.

The Chairman asked for a motion to approve the minutes from the January 12, 2016 hearing. A motion was made by Everett O'Donnell, seconded by Beverly Sturdahl and passed unanimously by the Board.

The Chairman asked if there were any petitions to be WITHDRAWN or CONTINUED.

Petition #10362

Ward 7

73 Melbourne Road

The petition of Marc Beylerian & Amornrat Vasharasuksilpa, 73 Melbourne Road, Warwick, RI, for a dimensional variance to construct an 8' x 10' second floor deck (roof deck) with less than

required front yard setback, northerly side of Melbourne Road (73), Warwick, RI, Assessor's Plat 367, Lot 105, zoned Residential A-7.

Marc Beylerian, petitioner, was present.

He stated that they would like to construct a small deck on the dwelling over the front door. The deck would not go outside the existing setback of the dwelling.

Mr. O'Donnell made a motion to approve the petition. He stated that the proposal is a nice addition and there are no objections. It is a minor request. The motion was seconded by Mark McKenney and passed unanimously by the Board that the petition be GRANTED.

Petition #10363

Ward 9

101 Beachwood Drive

The petition of E. Winfield Platt, III & Cynthia Platt, 104 Beachwood Drive, Warwick, RI, for a request for a dimensional variance to construct a single story 18' x 15.7' addition to existing dwelling, proposed addition having less than required front yard and rear yard setbacks, westerly corner of Beachwood Drive (101) & Lakedell Drive., Warwick, RI, AP 203, Lot 40, zoned Residential. A-10.

E. Winfield Platt, II, petitioner, 104 Beachwood Drive, was present.

Mr. Platt stated that he resides in the dwelling across the street. He owns the existing dwelling and it is a single level dwelling. He is proposing to convert the existing master bedroom into a bathroom and construct an addition for a new master bedroom. His parents will be residing in the dwelling.

Mr. O'Donnell stated that the relief requested is 2' from the front property line and 6' from the rear property line.

Mr. Wyrostek stated that the lot is of sufficient size.

Mr. O'Donnell stated that the request is a minor request and there were no objectors and he made a motion to approve the petition. The motion was seconded by Beverly Sturdahl and passed unanimously by the Board that the petition be GRANTED.

Mr. Corley arrived and became the voting member in place of Mrs. Finn.

Petition #10364

Ward 8

650 Bald Hill Road

The petition of AMCB Rhode Island Mall Owner, LLC, 2701 North Charles Street, Baltimore, MD, for a request for a dimensional variance/use variance/special use permit to construct a freestanding ground sign higher and larger than allowed by ordinance, with less than required setback from property line, abutting mall property containing more than one freestanding ground

sign, northerly side of East Avenue and easterly side of Bald Hill Road (650), Warwick, RI, Assessor's Plat 264, Lot 6 (Lots 1 & 7 part of Mall property), zoned General Business.

K. Joseph Shekarchi, Esq., representing the petitioner, was present.

Richard Crenca, Warwick Planning Department, read recommendations into the record.

Mr. Shekarchi stated that his client agrees to all of the stipulations presented.

Dave Frederick & Scott Fredericks, DiPrete Engineering Team, were also present.

The attorney stated that the Mall has new owners and it is dormant right now. They are trying to attract new businesses and need a new sign. They are trying to repurpose the building and create new jobs.

Mr. Wyrostek stated that the sign appears to be 30' from the curb and would not interfere with the roadway.

Mr. Corley made a motion to approve the petition. He stated the relief is needed because of the unique character of the land. The reuse of the mall would be an economic boost for the City and would bring the mall back to a vibrant economic engine for the city. He stated that the stipulations are to be included in the motion. The motion was seconded by Everett O'Donnell and passed unanimously by the Board that the petition be GRANTED with stipulations.

Petition #10365

Ward 8

1500 Bald Hill Road

The petition of Bald Hill Holdings LLC, 1500 BHR LLC, ARAK IV, LLC, 859 Willard Street, Ste. 501, Quincy, MA, for a request for a dimensional variance to construct additional walls signs on west elevation of existing building, proposed signs being greater in number than allowed and larger than allowed, easterly side of Bald Hill Road (1500), Warwick, RI, Assessor's Plat 241, lot 13, zoned General Business.

John Revens, Esq., representing the petitioner was present.

The attorney described the existing site conditions and the signs that are currently existing on the building. He explained to the Board that the subject property is located at a very busy intersection. The interior businesses do not have any visibility on Bald Hill Road at all. There are two new businesses in the plaza.

The Chairman stated that signage is an important part of a business.

Mr. Corley made a motion to approve the petition. He stated that Mr. Revens clearly stated the reasons why the signage is necessary. New businesses should be able to have reasonable signage

and have the same as the other tenants in the building. The motion was seconded by Everett O'Donnell and passed unanimously by the Board that the petition be GRANTED.

Petition #10366

Ward 3

589 Airport Rd. & 101 Hallene Rd.

The petition of Rhode Island Airport Corporation, 200 Post Road, Warwick, RI, Marley Realty, LLC, 151 Kristen Court, Warwick, RI and Enterprise Rent A Car Company pf Rhode Island, LLC, 333 Niantic Avenue, Cranston, RI for a dimensional variance and special use permit to have a rental car operation with offices, service bays, vehicle storage and ancillary fueling facilities, subject property having less than required aisle width for parking area, less than required landscaping, entrance and exit larger than allowed and parking space size, northerly side of Airport Road (589) and Hallene Road (101), Warwick, RI, Assessor's Plat 321, Lot 1 & Assessor's Plat 311, Lot 251, zoned Light Industrial.

K. Joseph Shekarchi, Esq., representing the petitioner was present.

Richard Crenca, Warwick Planning Department, read recommendations into the record.

The Chairman stated that he would like to disclose that his company has property nearby but it does not have any affect on his voting.

The attorney described the proposed plan to the Board. He stated that it is a great reuse of the airport property. The proposal would not have any effect on the tax base. He stated that he met with the councilman for the area. They are seeking approval from the council for the road abandonment. The facility would be for parking, service and minor repair of the Enterprise vehicles only. They proposed a traffic light for the facility. They have spoken to RIDOT. The facility is not open to the public. The traffic generated would be from the office workers and staff.

The attorney described the plan to the Board and answered questions from the Board members.

There was one person present in objection.

John Buontempo he was concerned about additional traffic on Evergreen Street.

Michael Gemma, 96 Evergreen Street, was present in favor of the petition.

Mr. McKenney stated that the character of the land is unique. The proposal would be an improvement to the property and is consistent with the area. The petitioner worked with the Planning Department and made an extensive effort. He made a motion to approve the petition with the stipulations of the Planning Department. The motion was seconded by Beverly Sturdahl and passed unanimously by the Board that the petition be GRANTED with stipulations.

Petition #10367

Ward 4

600 Cole Farm Road

The petition of Cole Farm Association, Inc., 600 Cole Farm Road, Warwick, RI, & Paul & Debra Wayss, 14 Spooner Avenue, Warwick, RI, for a request for a dimensional variance to demolish existing dwelling and construct a new 28' x 32' single family dwelling with a 10' x 20' porch, subject property containing more than one residential dwelling, southerly side of Cole Farm Road (600 – 48A), Warwick, RI, Assessor's Plat 315, Lot 136, zoned Residential A-10.

Paul Wayss & Debra Wayss, 14 Spooner Avenue, petitioners, were present.

The President and the Secretary of the Cole Farm Association were present in favor.

Richard Crenca, Warwick Planning Department, read recommendations into the record.

The petitioner stated that have received approval from the Association and presented a letter to the Board. The petitioner described the proposed plan to the Board.

Mr. Corley made a motion to approve the petition. He stated that the association is in favor and the construction of the new dwelling would increase the value of the subject property and the surrounding dwellings. The motion was seconded by Everett O'Donnell and passed unanimously by the Board that the petition be GRANTED with stipulations.

Petition #10368

Ward 5

State Street

The petition of KND Development, LLC, 946 Centerville Road, Warwick, RI, for a request for a dimensional variance to construct a 34' x 34' single-family dwelling on subject property, subject property being an undersized non-conforming lot containing less than required lot area, frontage and width, westerly side of State Street (vacant lot to right of #53 State Street), Warwick, RI, Assessor's Plat 357, Lot 431, zoned Residential A-7.

John Revens, Jr., Esq., representing the petitioner was present.

Richard Crenca, Warwick Planning Department, read recommendations into the record.

Robert DeGregorio, was accepted as an expert witness in real estate. Motion was made by Richard Corley, seconded by Everett O'Donnell and passed unanimously by the Board.

The attorney stated that they agree to all of the stipulations presented by Planning. The attorney described the requested relief.

Petitioner's Exhibit #1 - Tax Assessor's Chain of Title Cards.

Mr. DeGregorio was questioned by the attorney and explained his findings and opinion to the Board.

Mr. Corley made a motion to approve the petition. He stated that the new home would enhance the value of the homes in the area. The motion was seconded by Beverly Sturdahl and passed unanimously by the Board that the petition be GRANTED with stipulations.

Petition #10369

Ward 8

655 Commonwealth Avenue

The petition of Raymond Gallucci & Carol Gallucci, 655 Commonwealth Avenue, Warwick, RI and Graham Willoughby, 9 Somerset Avenue, Riverside, RI, for a special use permit and dimensional variance to occupy existing dwelling with in-law apartment as an assisted living facility, the existing dwelling is non-conforming to side yard setbacks, existing sheds on property having less than required side and rear yard setbacks, to have a freestanding ground sign larger than allowed, westerly side of Commonwealth Avenue (655), Warwick, RI, Assessor's Plat 247, Lot 105, zoned Residential A-40.

John Revens, Jr., Esq., representing the petitioner was present.

Richard Crenca, Warwick Planning Department, read recommendations into the record.

The attorney stated that there is an existing single-family dwelling with an in-law apartment located on the property. His client proposes to change the use of the property to an assisted living facility for up to ten individuals.

Graham Willoughby and Mandy Willoughby, petitioners, were present.

The attorney and the petitioners explained the operation of the proposed facility to the Board.

There was an attorney present William Landry, 30 Exchange Terrace, representing Bill & Dorothy Lancellotta.

There concerns were over screening and vegetation. They explained all of their concerns to the Board.

The petitioner agreed to certain stipulations to ease the concerns of the abutters.

William Lancellotta, 643 Commonwealth Avenue, expressed his concerns to the Board.

There were other neighbors present:

Sonia DeStefans, 629 Commonwealth Avenue, in objection

Hernani Rosa, 634 Commonwealth Avenue, in favor

The Board heard all of the concerns and discussed options with the petitioner.

Mr. Corley made a motion to approve the petition with the stipulations. He stated that there is not enough facilities of this type within the City. The owners are trying to put something on the property that would fit in with the area. The petitioner stated that he would work with the neighbors on the issue of the vegetation and filling in the gaps. The motion was seconded by

Everett O'Donnell and passed unanimously by the Board that the petition be GRANTED with stipulations.

The Chairman entertained a motion to adjourn. A motion was made by Everett O'Donnell, seconded by Richard Corley and passed unanimously by the Board that the meeting be adjourned at 8:10 P.M.

BY ORDER OF THE ZONING BOARD OF REVIEW, WARWICK, RHODE ISLAND

Donald G. Morash, Jr., Chairman